

3/26/79 [2]

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THE WHITE HOUSE

WASHINGTON

March 23, 1979

MEMORANDUM FOR THE PRESIDENT

FROM: HUGH CARTER *HC*

SUBJECT: Weekly Mail Report (Per Your Request)

Below are statistics on Presidential and First Family:

<u>INCOMING</u>	<u>WEEK ENDING 3/16</u>	<u>WEEK ENDING 3/23</u>
Presidential	24,690	25,775
First Lady	1,325	1,615
Amy	300	360
<u>Other First Family</u>	<u>55</u>	<u>50</u>
TOTAL	26,370	27,800

BACKLOG

Presidential	4,530	3,875
First Lady	150	195
Amy	0	0
<u>Other</u>	<u>0</u>	<u>0</u>
TOTAL	4,680	4,070

DISTRIBUTION OF PRESIDENTIAL MAIL ANALYZED

Agency Referrals	10%	9%
WH Correspondence	53%	58%
Unanswerable Mail	13%	13%
White House Staff	4%	4%
Greetings Requests	19%	15%
<u>Other</u>	<u>1%</u>	<u>1%</u>
TOTAL	100%	100%

NOT INCLUDED ABOVE

Form Letters	0	0
Form Post Cards	7,185	5,500
Mail Addressed to White House Staff	16,297	15,999

cc: Senior Staff

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MAJOR ISSUES IN
CURRENT PRESIDENTIAL ADULT MAIL
Week Ending 3/23/79

ISSUES	PRO	CON	COMMENT ONLY	NUMBER LETTERS
Support for President's Middle East Peace Initiative	72%	26%	2%	1,393
Comments re: Energy Situation	0	0	100%	701
Support for Deregulation of Trucking Industry	0	100%	0	427
Support for Budget Cutbacks for FY 1980	0	97%	3%	363
Support for Proposed IRS Guidelines for Determining Tax-exempt Status of Private Schools	0	100%	0	341
Support for National Health Plan	99%	1%	0	203
Endorsements for Federal Judgeships	0	0	100%	189
Support for Pelly Amendment to Fishermen's Protective Act of 1967	100%	0	0	159
			Total	3,776

	FOR STAFFING
	FOR INFORMATION
/	FROM PRESIDENT'S OUTBOX
	LOG IN/TO PRESIDENT TODAY
	IMMEDIATE TURNAROUND
	NO DEADLINE
	LAST DAY FOR ACTION -

ACTION
FYI

	ADMIN CONFID
	CONFIDENTIAL
	SECRET
	EYES ONLY

	VICE PRESIDENT
/	EIZENSTAT
	JORDAN
	KRAFT
	LIPSHUTZ
/	MOORE
	POWELL
	WATSON
	WEXLER
	BRZEZINSKI
	MCINTYRE
	SCHULTZE

	ARAGON
	BOURNE
	BUTLER
	H. CARTER
	CLOUGH
	COSTANZA
	CRUIKSHANK
	FALLOWS
	FIRST LADY
	GAMMILL
	HARDEN
	HUTCHESON
	JAGODA
	LINDER
	MITCHELL
	MOE
	PETERSON
	PETTIGREW
	PRESS
	RAFSHOON
	SCHNEIDERS
	VOORDE
	WARREN
	WISE

	ADAMS
	ANDRUS
	BELL
	BERGLAND
	BLUMENTHAL
	BROWN
	CALIFANO
	HARRIS
	KREPS
	MARSHALL
	SCHLESINGER
	STRAUSS
	VANCE

THE WHITE HOUSE
WASHINGTON
26 Mar 79

STu Eizenstat

The attached was returned in
the President's outbox today
and is forwarded to you for
appropriate handling.

Rick Hutcheson

Frank Moore

791130

*Sta -
info C-*

United States Senate

WASHINGTON, D.C. 20510

March 24, 1979

The President
White House
Washington, D.C.

Dear Mr. President:

The attached memo is blunt. It is offered as a constructive suggestion and it is offered in friendship. I very much want you to succeed.

My hope is that the candor which it contains will be helpful to you. Also attached is a copy of a letter sent to you yesterday from 21 Senators. It was circulated only for one day. Many more signatures could have been attained.

Sincerely,



David L. Boren
United States Senator

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MEMORANDUM FOR THE PRESIDENT

THE GENERAL PROBLEM

Deep discontent and bitter frustration exist in the country over inflation, energy shortages and bureaucratic harassment. In short the people are saying loudly "Get the Government off our backs". There is a strong feeling that nothing is being done, that we are on high center. The potential for a complete political reaction against the administration is very strong. More important is the real potential for economic upheaval and disillusionment with the entire political process.

The people want a blunt "Harry Truman" firm hand on the tiller approach. They want a tough, no compromise, "ready for battle" President with a firm hand on the tiller. They would rather have firm decisions even if they might not agree with all of them or even if the Congress didn't accept all of them. The people want a bold, Truman, meat-axe approach.

TWO SPECIFIC PROBLEMS

This memorandum addresses itself to two specific problems. (1) The Energy Crisis and (2) The Bureaucratic Crisis.

The people are told we are in an energy crisis and then they see on the nightly network news some of the following which appeared in a single two day period recently:

(1) 5,000 coal miners are unemployed in West Virginia today largely because a morass of government rules and regulations make it all but impossible to mine or use coal even though we are said to have a 100 year supply and coal is being offered as an alternative to nuclear power.

(2) It now requires 12 years to put a nuclear plant in operation.

(3) Pipelines have not been developed across Canada or Mexico and SOHIO appears ready to cancel the California pipeline because of bureaucratic delay.

(4) Vast amounts of Alaskan oil cannot be used because we lack refining capacity. No new refineries have been built in 12 years. There are 12 refinery applications which have been pending since 1970 that have been blocked by failure to gain permits. The refineries would add 2.4 million barrels per day to capacity.

(5) The largest secondary and tertiary recovery project in the U. S., The Kern River Development in California which was producing 100,000 barrels per day has been shut down because of EPA rulings. They were burning one barrel of high sulphur California oil (price \$5.50) to extract three barrels of California oil (price \$5.50). EPA says they must use lower sulphur crude which would cost Getty about \$19 per barrel. Now the economics are---use one \$19 barrel of oil to produce three \$5.50 barrels

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of oil. Needless to say Getty scrapped the project.

(6) No action to pay world price for secondary and tertiary oil which could add 3 million barrels per day to production within 5 years.

(7) No perceived urgency on gasohol, shale, solar energy or other projects akin to World War II action.

In the second area, the Bureaucratic crisis, private business is being stifled, particularly small business by regulations that appear to change daily. The public reads that regulations cost \$102 billion per year, \$1,200 for the average American family. Over 500 new massive books of regulations are adopted each year and 9,000 amendments to existing regulations are adopted.

THE PROPOSED SOLUTION

I. ENERGY - THE CREATION OF AN EMERGENCY PRODUCTION COUNCIL

During the last World War, the President created a War Production Board with wide ranging powers. If this is the "moral equivalent of war" let us treat it the same way.

Members would come from the private sector appointed by the President and receive per diem pay only. A Congressional oversight panel would be created with special emphasis on the prevention of profiteering.

The Council would establish production goals based upon the percentage of total energy demand to be met by each form of energy. With the approval of the President, subject to a 15 day veto by Congress, the Council could take an emergency action to order the construction of any facility to produce, use, or transport any form of energy immediately and without delay notwithstanding any rule or regulation or the jurisdiction of any other federal or state agency.

II THE BUREAUCRATIC CRISIS - A MORATORIUM

Ask Congress to approve an across the board 2 year moratorium on the issuance of any new rules or regulations by any governmental agency. The only exception would be any emergency rules and regulations submitted by the President himself and subject to 15 day Congressional veto. Agencies would also be permitted to make changes in existing rules which would relax present standards or reduce costs of present standards.

At the same time each Congressional committee would be asked to review all existing rules and regulations for all agencies over which they have jurisdiction with the aim of reducing bureaucratic burdens.

Review and reduction of bureaucratic controls cannot be accomplished while agencies are still in midstream with hundreds of changes still in progress. A cap would not do violence to present environmental rules which are presently in place.

A FOOTNOTE

Rumors of administration proposals to establish new energy taxes without a plowback provision are very disturbing. A tax to prevent excess profits and to force reinvestment in more energy production through a plowback could have positive results. A tax without a plowback would be harmful. It would reduce capital available for energy production and research. If earmarked for a particular program, it would become permanent and lost forever as a source of private capital. Once a revenue source is committed to spending programs Congress almost never removes it. Also, if OPEC prices go up, it would place pressure on Congress to make the tax even higher than the administration would desire, further starving the energy sector of needed capital.

A windfall profits tax with plowback would encourage production. Any short term proceeds could be used strictly to reduce the deficit and move toward a balanced budget. The total proposal would thus fit into the anti-inflation package.

United States Senate

WASHINGTON, D.C. 20510

March 20, 1979

The President
The White House
Washington, D. C. 20500

Dear Mr. President:

One of the major problems with our economy is the excessive importation of expensive foreign oil which increases inflation. The continual and increasing cost of over forty billion dollars a year is resulting in an enormous impact on the dollar. A weakened dollar increases inflation. If energy imports are decreased, and if domestic production is significantly increased, and if we can consume less in the United States, then we can really diminish inflation. We must not look at the short-term in devising a policy for the pricing of our major energy source. We must consider what is the best for our nation in the long-term.

If we are to become more energy independent, we must greatly increase capital investment in all forms of domestic energy production. Retained profits by the private sector plowed back into investment are certainly the preferable and most effective source of the necessary capital. To obtain necessary capital, domestic prices should go up to the world price as soon as possible. In addition, proper conservation and the need to make realistic, long-term investment decisions in all areas of the private sector, dictate that we move to the world price.

If you were to decontrol upper tier crude immediately on June 1, 1979, and systematically remove controls on lower tier crude by September, 1981, two things would occur. First, producers would be allowed to receive a price for their products commensurate with replacement costs which would in turn spur increased domestic production and thereby begin chipping away at our excessive foreign imports. Secondly, by allowing the price of crude oil to reach world market levels, the price of petroleum products would soon reach a level which would assure decreased consumption, and accordingly, greater conservation.

The President
March 20, 1979
Page Two

There will be some price increases which would result from the decontrol of crude oil prices. And, certainly, we all recognize that no member of Congress can be enthusiastic about supporting programs which are likely to result in higher energy prices. In our judgement, however, a majority of the members of the House and Senate can be persuaded to accept higher energy prices if there is some reasonable prospect that those higher prices will contribute substantially to the solution of our present energy supply problem. Certainly, the American public appears ready to accept the short-term impact of higher prices if they can look to the long-term impact of certainty of supplies. The public understands that, in the long run, consumers will have to pay much more for energy if we remain at the mercy of foreign producers than if we develop our own sources.

We recognize the political difficulty which you face in making this decision. But, we must all face the fact that there is no cheap or simple solution to our energy problems. We have reached the point that decisive action is required, and you will have the opportunity with the expiration of EPCA to exercise such action.

While the option we support requires a full measure of political courage, the alternative is much worse. Controls have only succeeded in (1) raising the costs of energy significantly, without doing enough to increase production and (2) jeopardizing the economic, political, and military security of this nation.

If supplies of oil from Saudi Arabia or some other crucial energy supplier were shut off, the economic disaster would be so great as to make moot any concern with partisan politics. We must not continue a policy which has placed America in such grave jeopardy.

We must have an energy policy which effectively promotes conservation and specifically reduces foreign

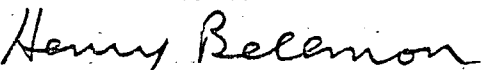
The President
March 20, 1979
Page Three

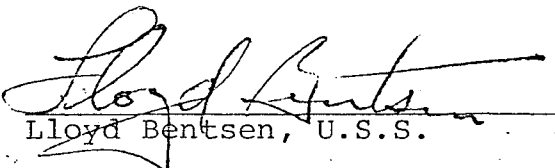
imports of oil. There is no question that this policy can be accomplished by allowing the market place to reflect the cost of energy products rather than the Federal government.

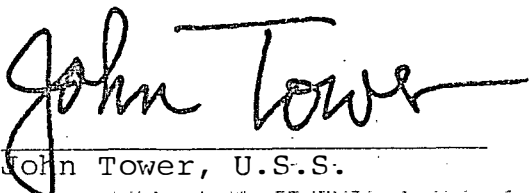
We very much look forward to your response concerning these important energy policy matters.

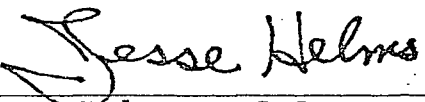
Respectfully yours,



David L. Boren, U.S.S.

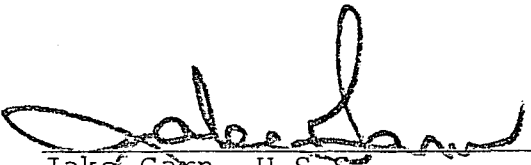

Henry Bellmon, U.S.S.

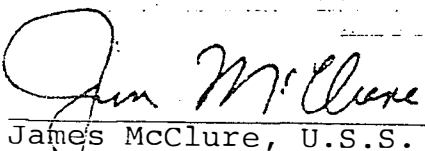

Lloyd Bentsen, U.S.S.



John Tower, U.S.S.


Jesse Helms, U.S.S.


Thad Cochran, U.S.S.



Jake Garn, U.S.S.

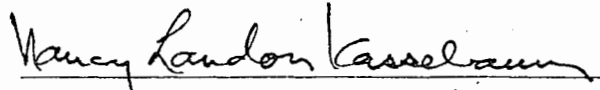

James McClure, U.S.S.



Ted Stevens, U.S.S.

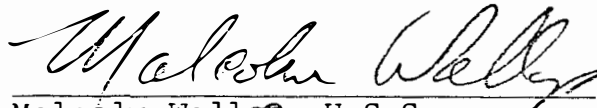

Barry Goldwater, U.S.S.

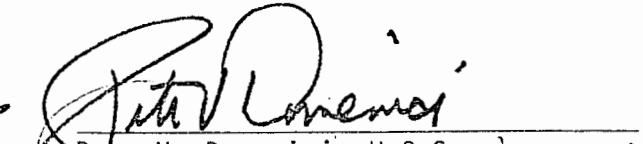

Richard Stone, U.S.S.


Howard H. Baker, Jr., U.S.S.

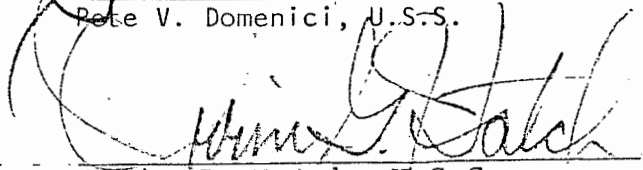

Nancy Landon Kassebaum, U.S.S.


Strom Thurmond, U.S.S.

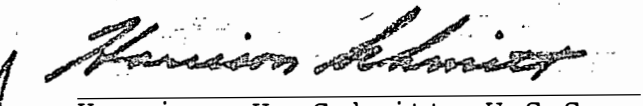

Malcolm Wallop, U.S.S.

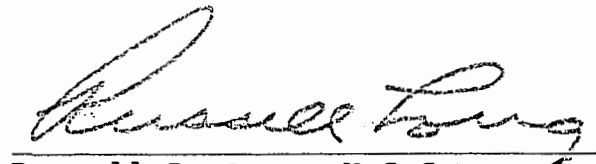

Pete V. Domenici, U.S.S.


Mike Gravel, U.S.S.


Orrin G. Hatch, U.S.S.


Mark O. Hatfield, U.S.S.


Harrison H. Schmitt, U.S.S.


Russell B. Long, U.S.S.

THE WHITE HOUSE

WASHINGTON

23 March 1979

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MEMORANDUM FOR THE PRESIDENT

FROM:

RICK HUTCHESON *Bill Simon for RH*

SUBJECT:

Status of Presidential Requests

EIZENSTAT:

1. (3/6) Go over the Rail Deregulation with Secretary Adams concerning the subtle differences on "phasing in"; where there remains a difference, let Brock decide -- Done. *done*
2. (3/6) (and McIntyre) Expedite the Rail Deregulation proposals to me -- Done. *done*

MOORE:

1. (2/13) (and Eizenstat) What can we do about the amendment by Senator Helms prohibiting the use of U.S. funds for technical assistance? -- Done, (in 3/23 Weekly Legislative Report). *done*

SECRETARY BLUMENTHAL:

1. (1/22) You may tell the Chrysler people our views on the impending financial crisis. Assess their situation and then consult with the President -- In Progress, (status report in 3/23 weekly report).

ATTORNEY GENERAL BELL:

1. (1/17) Comment on the memo from IOB Chairman Tom Farmer -- In Progress, (expected 3/29).
2. (2/7) (and McIntyre) On the proposal to establish a council to coordinate efforts of the Inspectors General and others to combat waste and fraud:
a) another council? b) possible to combine with positive aspect of efficiency and better government?
c) how does Scotty Campbell feel about this? d) let an executive committee group meet to discuss and report to the President -- In Progress, (status report in the Department of Justice's weekly report).

3. (3/24) It is ok with the President if you (or Leonel sent by you) consult with Portillo regarding the border situation; consult with Vance -- In Progress, (status report in Justice's weekly report).

JORDAN:

1. (2/24) Move on selecting a director for FEMA -- In Progress, (with Vice President, Kraft and Miller).
2. (3/22) The President's understanding is that Secretary Marshall and the President will stay out of the Teamsters' negotiations. The President made this clear at Camp David; confirm this with Marshall -- Done. *done*

KRAFT:

1. (10/3) Put Lang Sheffield on some good commission -- In Progress, (although nothing specific yet).
2. (10/22) (and Brzezinski) Senator Javits wants his wife on an arts council; the President would like to do it -- Responded in 11/11 memo. (11/11) Look for something other than the National Council on the Arts for Mrs. Javits -- Done, (she has been appointed to a one year vacancy on the National Council on the Humanities.) *done*
3. (1/14) Send the letter from Georgia State Senator Edward Johnson, concerning Martha Craig Daughtery, back to the President along with the final recommendations for the existing Tennessee vacancy on the Sixth Circuit Court of Appeals -- Done. *done*

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THE WHITE HOUSE

WASHINGTON

March 24, 1979

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR THE PRESIDENT

FROM:

ANNE WEXLER *AW*

SUBJECT:

Activities Report--Week Ending March 23, 1979

1. Hospital Cost Containment

The positive response from the follow-up telephoning on last week's East Room briefing should result in direct contact with key Senators. A second community leaders briefing is scheduled for the East Room on April 4 and will be targeted to the House Commerce Committee. The supporting coalition of sixty Washington-based organizations worked hard last week on the Finance Committee during its markup. I canceled your meeting with chief executive officers of major corporations when it became clear that the meeting might be counterproductive. We will continue to concentrate efforts on individual chief executives. Also, it appears that a number of Washington-based corporate representatives and trade association leaders will quietly assist us in our efforts, particularly with the House Commerce Committee.

2. Energy

Working with Stu Eizenstat, we have begun consultations with some of the political advisers and interest groups with which we work. Although the environmental groups have traditionally supported the principal of replacement cost pricing for oil, they have come under attack from the consumer groups who want no price increases. In order to retain consumer support on issues like Alaska lands, the environmental groups are now moving towards the position of making increases in oil prices contingent on a previously passed windfall profits tax. We will continue meeting with them. We are working with Stu to determine what other groups should be consulted next week.

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3. Public Campaign Financing

Last week we held individual outreach meetings with groups ranging from the League of Women Voters to the American Bar Association for the purpose of gauging their degree of support and encouraging a broadened interest in the legislation. None of the groups, with the exception of Common Cause, consider the legislation a top priority, although they all support the concept. It appears that professional, rural and environmental groups will invest some efforts if we get them a highly selected list of targets. Next week we will continue these individual, low-key meetings.

4. Regulatory Reform

We have set up a series of briefings and meetings to follow your announcement on regulatory reform. It appears that we will receive endorsements from one or two environmental groups, several business organizations, state and local government groups and good government organizations. The briefings are intended both to expand the basis of support and obtain endorsements.

5. Department of Education

A cross section of interest groups will be testifying in support of the Department of Education in the House next week, ranging from the president of Xerox publications to Vernon Jordan. Governor Graham of Florida has also agreed to testify for the Department of Education. This should be significant given his credentials in the area. The interest groups are working hard to assure that there are no problems in the Senate if it should vote on the legislation next week.

6. Multinational Trade Negotiations

It appears that the small business/minority set-aside problem has been resolved satisfactorily. Louis Martin is handling notification and briefings of minority groups. We will brief small business leaders next Tuesday, and will also use this as an opportunity to explain why MTN should be supported. The Department of Labor is consulting key labor leaders, and other individual consultations and organizing efforts continue during the negotiation period.

7. Trip to Dallas

I participated as the luncheon speaker at the regional meeting on the budget and inflation in Dallas. Several observations:

1. Our message on inflation needs more repetition. The public does not know what our program is or why we are doing it. If you do more speeches on inflation, in my opinion, it can only help.
2. I also met with a group of black leaders who had requested a meeting with you during your Dallas trip. Louis Martin and I will follow up on their concerns and requests. More important, though, is the idea of doing these kinds of meetings with special constituencies concurrent with your trips. One or more advisers could spend their time doing these meetings while you are busy with other activities. The one I did was quite productive, the participants were satisfied, and the follow-up will be useful. I strongly urge you to let us try to do similar meetings during future trips.

THE WHITE HOUSE
WASHINGTON

3/26/79

Frank Moore
Stu Eizenstat

The attached was returned in the
President's outbox Friday and
is forwarded to you for your information.

The signed memos were forwarded to
Chairman Campbell and Secretary Kreps
today.

Rick Hutcheson

THE WHITE HOUSE

WASHINGTON

March 22, 1979

MEMORANDUM FOR: THE PRESIDENT

FROM: STU EIZENSTAT *Stu*
FRANK MOORE *FM*

SUBJECT: Exemption from the Civil Service Reform Act for the 1980 Census Enumerators

We have ~~attached~~ a memorandum to you from the Director of the Office of Personnel Management which states that the Secretary of Commerce, on behalf of the Census Bureau, requests an exemption from the competitive requirements of the Civil Service Reform Act in order to hire temporary employees for the 1980 Census. Director Campbell concludes that the request is justified and recommends that you exercise your authority under the Act and grant the exemption.

The request can be justified on five grounds:

- o The period of time in question is very short. Most enumerators will work about five to six weeks. Only about a thousand will be employed for as much as eight months.
- o An accurate census is most often achieved by enumerators who are familiar with and come from the neighborhoods to be counted. This is particularly important for minority neighborhoods.
- o The best recruiting is done through the established civic and neighborhood organizations. This has been the established pattern since the census of 1790.
- o The Director points out that substantial cost savings can be achieved through granting the exemption.
- o The overwhelming majority of the Congressmen who have discussed this point with us favor the exemption. Both Chairmen of the House and Senate subcommittees with census jurisdiction favor an exemption for the temporary employees.

AND THE RANKING Republican Derwinski

We have attached a memorandum, for your signature, to Secretary Kreps and Director Campbell which would direct the following action:

- o An exemption from the Civil Service law is granted for the hiring of temporary census workers;
- o Secretary Kreps and Director Campbell shall develop and implement a comprehensive recruitment and referral plan;
- o Director Campbell is delegated the authority to implement the memorandum;
- o The exemption will expire upon completion of the 1980 decennial census.

Secretary Kreps, Director Campbell, Tim Kraft, Jim McIntyre, Lipshutz and Arnie Miller recommend approval. We recommend that you approve the exemption and sign the attached memorandum. If you approve the proposal we recommend further that you permit us to notify the key congressional leaders prior to the public announcement. Congressional Liason would implement that direction.

✓ Approve the exemption from Section 2302 of the Civil Service Reform Act for employment of temporary census employees for the 1980 census. Advance congressional notification is authorized. (OMP,DPS,CL)

_____ Disapprove the exemption

TWO SIGNATURES REQUESTED

THE WHITE HOUSE

WASHINGTON

March 26, 1979

MEMORANDUM FOR THE SECRETARY OF COMMERCE
THE DIRECTOR OF THE OFFICE OF
PERSONNEL MANAGEMENT

SUBJECT: The Employment of Temporary Census Employees
for the 1980 Census

Since the first census was taken in 1790, special provision has been made for the recruitment of temporary census employees outside the normal government hiring procedures. Because of the large number of employees who must be recruited, trained and employed within a short period of time, it would be extremely time consuming and costly to use the normal examination procedures. Census employees must generally be drawn from a relatively restricted geographic area and from groups of persons who are qualified to collect data and who are able to accept intensive field work for short periods of time.

With the 1980 census, I want to open up our recruiting to as many sources as possible in order to ensure that this census contains the most accurate count of our population. I am particularly concerned that we draw as many qualified census employees as possible from the neighborhoods in which the census is being done.

In order to meet these objectives and provide for good administration of the 1980 census, I am directing the following action:

1. The position of temporary census employees in the Bureau of the Census in the Department of Commerce for the purpose of conducting the 1980 decennial census shall be excluded from the coverage of Section 2302 of title 5, United States Code.

2. The Secretary of Commerce, in consultation with the Director of the Office of Personnel Management, shall develop and implement a comprehensive recruiting plan which permits referrals from federal and state agencies, national and local civic organizations, minority and women's groups, and other appropriate sources.
3. The Director of the Office of Personnel Management is hereby delegated authority to implement this memorandum.
4. This memorandum is effective from March 26, 1979, for a period not to exceed conclusion of the 1980 decennial census.

Jimmy Carter

WASHINGTON

DATE: 15 MAR 79

FOR ACTION: SECRETARY KREPS *attached*

TIM KRAFT

JIM MCINTYRE - *attached*BOB LIPSHUTZ *when*

INFO ONLY: THE VICE PRESIDENT

ANNE WEXLER

FRANK MOORE (LES FRANCIS)

ARNIE MILLER *concur*

STU EIZENSTAT

HAMILTON JORDAN

JACK WATSON

SUBJECT: CAMPBELL MEMO RE EXEMPTION FROM REQUIREMENTS OF THE CIVIL
SERVICE REFORM ACT FOR EMPLOYMENT OF CENSUS ENUMERATORS

+++++ +++++ +++++
+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +
+ BY: 1200 PM MONDAY 19 MAR 79 +
+++++ +++++ +++++

ACTION REQUESTED: YOUR COMMENTS

STAFF RESPONSE: () I CONCUR. () NO COMMENT. () HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

*3-26 - due this aft
from Thomson
First attachment
attached
w/BC*

THE WHITE HOUSE
WASHINGTON

Bob Lipshutz and Arnie Miller concur.

OMB also concurs but notes that such an exemption would be seen as a return to the traditional system of political patronage selection of enumerators. OMB does not think that a return to this sytem would be the best way to deal with the problems of undercount and good administration of the census.

Comments from Eizenstat and Moore are attached.

Lipshutz



THE SECRETARY OF COMMERCE
Washington, D.C. 20230

March 16, 1979

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Exemption of Temporary Census Employees
Under the Civil Service Reform Act

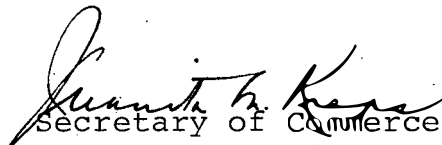
Traditionally, temporary employees for the decennial census have been recruited from diverse sources including referrals from elected officials. Under the Civil Service Reform Act of 1978, such referrals would be permitted only under very limited circumstances.

In January we recommended that you not waive the restrictive provisions of the Act to facilitate recruitment of 1980 census temporary employees. At that time, we felt that the advantages did not outweigh the potential political disadvantages to you of waiving the Act even for this limited purpose.

Within the past few weeks, bipartisan and significant Congressional interest has been expressed in enabling elected officials to make referrals. We understand there is the possibility of Congressional action to waive the Act, with some risk that Congressional action might be intrusive or overbroad. Accordingly, we have reconsidered the issue and conclude that a waiver would be appropriate.

As the attached justification indicates, the Census Bureau's work on the 1980 census would be substantially facilitated by a waiver. Accordingly, I recommend that you grant the waiver. I also recommend that your action be coordinated with public bipartisan Congressional support.

I understand OPM will provide an appropriate memorandum for you to sign to waive the Act.


Secretary of Commerce

Attachment

Justification for 1980 Census Exception to the Civil Service Reform Act of 1978

Among the many agencies in the Federal Government whose programs require the employment of persons on short notice and for limited periods of time, the situation of the Census Bureau is unique. The singular nature of a program in which an agency is called upon to employ nearly 275,000 persons for a brief period, most of them at wage rates roughly equivalent to GS-2 and 3, has been recognized in the special employment authorities that historically have been provided to the Bureau (e.g., 13 U.S.C. section 23).

The Civil Service Reform Act of 1978 (section 2302(a)(2)(B)(ii)) recognizes that there may be unusual situations where the efficiency and economy of Government are best served by waiver of selected provisions of the legislation. The purpose of this justification is to propose that a waiver of a limited area of the legislation would be consistent with exemption from certain civil service requirements traditionally provided to the Bureau.

Approximately 200,000 positions in the decennial census will be filled for an average of only about 5-6 weeks; the remainder will be occupied for periods from 2-8 months. However, fewer than 1,000 will be for so long as 8 months. Moreover, census enumerators should be residents of the neighborhoods in which they work, thus restricting Bureau recruitment to limited geographic areas and groups of persons. (Enumerator appointments amount to one enumerator for every group of 1,000 persons.) The recruiting difficulties presented by these terms of employment are compounded by the tight time schedule which is mandated by legislation. The census must be taken as of April 1, 1980; population data for each State must be submitted to the President by January 1, 1981.

These time tables and employment conditions preclude any effort which would attempt to produce a large supply of applicants earlier than the several weeks immediately preceding the conduct of the census. The short-term nature of the work, as well as the limited pay scale, are not sufficiently attractive to enable job seekers to make a commitment to census employment substantially in advance of the time when work actually begins. Hence, the census recruitment program must be conducted in a period even briefer than the short term of employment that census work provides.

Experiences with employment agencies/services are far from satisfactory. Most individuals on their rolls are looking for permanent work and will leave a census assignment unfinished if an offer of a permanent position occurs before they have completed their census assignment. In addition, such agencies have not been particularly helpful in finding persons especially qualified to work in difficult to enumerate areas or who have a racial or language bond with residents. Further, employment agency rolls frequently contain applicants who are found to be unreliable or who have a troubled job history. Nevertheless, assistance from the United States Employment Service offices will be used as one of a number of recruiting sources for the census.

Other sources recommended are local and national organizations with civic interests such as the League of Women Voters, the Parent-Teachers Association; minority organizations such as IMAGE, the National Urban League, and the Japanese-American Citizens League; and recruitment through public advertising.

Critical to the success of the census, however, is a core of persons on whom the Bureau can depend implicitly, who are well qualified for the work, and from among whom may be drawn persons for leadership positions. In past censuses, the Bureau has capitalized upon government and civic leaders at national and local levels to provide this core of people. The advantages of relying upon a system which utilizes such people are substantial. First, it has proven economical because it provides a recruiting service which reaches into each of the more than 3,000 counties of the United States and provides a communications network which would be enormously expensive to duplicate. We estimate the savings to approximate \$4 to \$5 million conservatively. (As we have indicated, recruiting 275,000 reliable workers on short notice without a dependable local network is formidable.) Secondly, such a system provides candidates with some knowledge of the positions even before a Bureau recruiter has arrived to test and interview. Advertising expenses are greatly reduced and efficient recruiting itineraries can be established. Thirdly, the system has provided public-spirited candidates generally well known and respected in their communities and, in particular, it provides supervisory candidates who are highly motivated and considerably better qualified than are otherwise available for the brief tenure and salary offered. Such individuals recognize a commitment to complete the census assignment. Lastly, and importantly, the system has enhanced our affirmative action capabilities to the extent that it provides the opportunity to recruit candidates compatible with the neighborhoods in which they would work.

In summary, this paper proposes that the President remove the temporary positions established for the decennial census enumeration from the coverage of section 2302 of the Civil Service Reform Act. Further, the Secretary shall, in consultation with the Director of the Office of Personnel Management, develop a comprehensive recruiting plan drawing on Federal and State agencies, national and local organizations, minority organizations, elected officials, retired military personnel, and the use of public advertising in recruiting personnel for the decennial census enumeration.

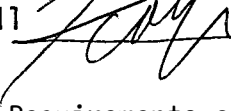
United States of America
**Office of
Personnel Management**

Washington, D.C. 20415
March 15, 1979

In Reply Refer To:

Your Reference:

MEMORANDUM FOR THE PRESIDENT

FROM: Alan K. Campbell 
Director

SUBJECT: Exemption from Requirements of the Civil Service Reform
Act for Employment of Census Enumerators

The Civil Service Reform Act permits the President, in exceptional circumstances, to waive normal hiring practices for selected Federal employment.

The Commerce Department, on behalf of the Census Bureau, has requested that the employment of temporary employees for the 1980 census receive such a waiver. The justification is based, in part, upon the short period for which these people will be hired. For the large proportion of them, employment will be for only about five to six weeks, and only about 1,000 will be employed for as much as eight months. In addition, it is important that census enumerators come from the neighborhoods in which the enumeration is being done. This necessity is particularly compelling for minority neighborhoods.

The best recruiting for these employees is through established civic and governmental organizations. The referral from such organizations has been a significant factor in recruiting qualified people for past census. Further, it is estimated that this system will cost substantially less than would use of the normal Federal hiring process.

I recommend that you grant the exemption, and a draft memorandum to accomplish that is attached. You will note that the draft requires that the Secretary of Commerce shall, in consultation with the Director of the Office of Personnel Management, develop a comprehensive recruiting plan, drawing on Federal and state agencies, national and local civic organizations, minority and women groups, and other appropriate sources.

Decision

☐ Approve exemption from Section 2302 of Civil Service Reform Act for employment of temporary census employees for the 1980 census.

☐ Disapprove exemption

Attachment

DRAFT

MEMORANDUM FOR

THE SECRETARY OF THE DEPARTMENT OF COMMERCE
THE DIRECTOR OF THE OFFICE OF PERSONNEL MANAGEMENT

SUBJECT: The Employment of Temporary Census Employees for
the 1980 Census

Since the first census was taken in 1790, special provision has been made for the recruitment of temporary census employees outside the normal government hiring procedures. The reason for the special provision is obvious. Because of the large number of employees who must be recruited, trained and employed within a short period of time, it would be extremely time consuming and costly to use the normal examination procedures. Census employees must generally be drawn from a relatively restricted geographic area and from groups of persons who are qualified to collect data and who are able to accept intensive field work for short periods of time.

With the 1980 census, I want to open-up our recruiting to as many sources as possible in order to ensure that this census contains the most accurate count of our population. I am particularly concerned that we draw as many qualified census employees as possible from the neighborhoods in which the census is being done.

In order to meet these objectives and provide for good administration of the 1980 census, I am directing the following action:

1. The positions of temporary census employees in the Bureau of the Census in the Department of Commerce for the purpose of conducting the 1980 decennial census shall be excluded from the coverage of section 2302 of title 5, United States Code.

2. The Secretary of Commerce, in consultation with the Director of the Office of Personnel Management, shall develop and implement a comprehensive recruiting plan which permits referrals from federal and state agencies, national and local civic organizations, minority and women groups, and other appropriate sources.

3. The Director of the Office of Personnel Management is hereby delegated authority to implement this memorandum.

4. This memorandum is effective from March ____, 1979, for a period not to exceed conclusion of the 1980 decennial census.

S/

THE WHITE HOUSE
March ____, 1979

ID 790969

THE WHITE HOUSE

WASHINGTON

File
Con

DATE: 15 MAR 79

FOR ACTION: SECRETARY KREPS

FRANK MOORE (LES FRANCIS)

TIM KRAFT

ARNIE MILLER

JIM MCINTYRE

INFO ONLY: THE VICE PRESIDENT

HAMILTON JORDAN

ANNE WEXLER

JACK WATSON

SUBJECT: CAMPBELL MEMO RE EXEMPTION FROM REQUIREMENTS OF THE CIVIL
SERVICE REFORM ACT FOR EMPLOYMENT OF CENSUS ENUMERATORS

+++++
+ RESPONSE DUE TO RICK HUTCHESON STAFF SECRETARY (456-7052) +
+ BY: 1200 PM MONDAY 19 MAR 79 +
+++++

ACTION REQUESTED: YOUR COMMENTS

STAFF RESPONSE: (☒) I CONCUR. () NO COMMENT. () HOLD.

PLEASE NOTE OTHER COMMENTS BELOW:

United States of America
Office of
Personnel Management

Washington, D.C. 20415
March 15, 1979

In Reply Refer To

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The best recruiting for these employees is through established civic and governmental organizations. The referral from such organizations has been a significant factor in recruiting qualified people for past census. Further, it is estimated that this system will cost substantially less than would use of the normal Federal hiring process.

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S/

THE WHITE HOUSE
March ____, 1979

March 22

Rick:

From Bob Thomson:

Go ahead with Campbell memo re
Census Enumerators

Thomsons comments are: Ribicoff is somewhat uncomfortable with the exemption but we do not expect him to publicly oppose it. He will remain silent. All other key players in the Senate are neutral on the issue. We concur with the recommendation.



WASHINGTON

DATE: 15 MAR 79

FOR ACTION: SECRETARY KREPS

FRANK MOORE (LES FRANCIS)

TIM KRAFT

ARNIE MILLER

JIM MCINTYRE

INFO ONLY: THE VICE PRESIDENT

HAMILTON JORDAN

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PLEASE NOTE OTHER COMMENTS BELOW:

Comment: The President should be aware that the exemption to the Civil Service Reform Act for temporary Census employees could be seen as a return to the traditional system of political patronage selection of enumerators. That system relied heavily upon the Members of Congress of the party that controlled the White House for recruitment of the key Census temporary jobs. We do not believe that a return to that system would be the best way to deal with problems of undercount and good administration of the census. If the President approves the exemption for temporary employees, the press and Congressional relations treatment of the decision should be handled in a way that makes clear that the system being established this year will be far broader than a patronage system.

Action
cc
Granger
F. Raines
Wellford
Cutter

JPM

United States of America
**Office of
Personnel Management**

Washington, D.C. 20415
March 15, 1979

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S/

THE WHITE HOUSE
March ____, 1979

10 790969

T H E W H I T E H O U S E

WASHINGTON

DATE: 15 MAR 79

FOR ACTION: SECRETARY KREPS

FRANK MOORE (LFS FRANCIS)

TIM KRAFT

ARNIE MILLER

JIM MCINTYRE

STU EIZENSTAT

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mill